THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.25660 OF 2007

Dated 03-12-2007

Between:

Kondaboina Muniah ...Petitioner

And

The S.I. of Police and two others ...Respondents

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.25660 OF 2007

O R D E R:

The learned Assistant Government Pleader for Civil Supplies takes notice for respondent Nos.2 and 3.

(2) The writ petition is filed seeking a writ of Mandamus declaring the seizure of 82.50 quintals of rice along with containers, 101 empty gunny bags, weighing and stitching machines by the first and second respondents on 30-10-2007 from the godown bearing door No.14/82 of Panduranga Rice Mill, Mydukuru Road, Proddutur town, Kadapa district as illegal, arbitrary and contrary to the provisions of Essential Commodities Act, 1955.

(3) It is stated that an appeal, which had already been preferred by the petitioner before the Joint Collector-the third respondent, is pending disposal. It is also stated that in the meanwhile, if the rice in question along with the gunny bags, weighing and stitching machines etc., is sold, the petitioner would be put to serious loss.

(4) This Court is not inclined to express any opinion relating to the merits and demerits of the matter since it is stated that an appeal is pending before the third respondent. Let the third respondent dispose of the appeal, within a period of ten days and till then let not the rice, gunny bags, weighing and stitching machines etc., be sold.

(5) The writ petition is disposed of accordingly. No order as to costs.

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P.S.Narayana,J

Dated 3rd December, 2007

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Note: Issue wire at party's cost

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